IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No. 398 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SHANTILAL VITHALDAS SHAH & 10 - Applicants
Versus
STATE OF GUJARAT & 1 - Respondents

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Appearance :

MR YOGESH S LAKHANI for Applicants : 1 - 11.
MR. M.A. PATAEL, LD. APP for Respondent : 1,
MR HRIDAY BUCH for Respondent : 2,

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CORAM : HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

Date : 18/07/2006

ORAL JUDGMENT

1. Learned counsel Shri. Lakhani submits that during pendency of present proceedings before this Court, an application for discharge was

made by the accused upon the case having been committed to the Court of Sessions. This application for discharge made on 8/2/2006 be considered in accordance with law by the trial court and the trial court may not insist upon presence of the accused No. 1,2,3, 4 and 10 unless & until it is essential in connection with the pending case. Shri. Buch, learned counsel for respondent no. 2 submits that he has no objection to this request and he submits that the application for exemption if any made, same would not be objected by the respondent no.2.

2. Shri. Lakhani says that, in this view of the matter he seeks the permission to withdraw this Revision Application. The permission as sought for is granted. Matter is disposed of as withdrawn. The trial court is directed to dispose of the discharge application dated 8/2/2006 made in Sessions Case No. 371 of 1999 as expeditiously as possible and in accordance with law. Rule discharged. Interim relief stands vacated.

[S.R. BRAHMBHATT, J]

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